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17 UNITED STATES DISTRICT COURT  
18 SOUTHERN DISTRICT OF CALIFORNIA

19 KEVIN VANGINDEREN, ) Case No. 07-CV-2045-BTM (JMA)  
20 Plaintiff, ) Hon. Barry T. Moskowitz  
v. ) **NOTICE OF RELATED CASE**  
21 CORNELL UNIVERSITY, BERT ) Action Filed: October 1, 2007  
22 DEIXLER, )  
23 Defendants. )  
24  
25  
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1 TO THE CLERK OF THE ABOVE-ENTITLED COURT:

2 On April 8, 2008, an action was filed against defendant Cornell University  
3 and one of Cornell's attorneys, Bert H. Deixler. That action is captioned *Kevin*  
4 *Vanginderen v. Cornell University, Bert Deixler*, Case. No. 37-2008-00069807-CU-  
5 DF-SC and was filed in San Diego Superior Court, South County Division.

6 The undersigned counsel for Cornell wish to inform Chambers that the April  
7 8, 2008 action has been removed to this Court and now bears the Case Number 08-  
8 CV-736-W-JMA. In their Notice of Related Case, filed with Cornell's Notice of  
9 Removal, undersigned counsel recommended that the removed April 8, 2008 action  
10 be assigned to Judge Moskowitz. Counsel so recommended because plaintiff's  
11 allegations in the April 8, 2008 action arise from evidence filed in conjunction with  
12 Cornell's Special Motion to Strike Plaintiff's Complaint Pursuant to Section 425.16  
13 of the California Code of Civil Procedure, under submission in the October 1, 2007  
14 case since December 21, 2007.

15  
16 DATED: April 28, 2008

NELSON E. ROTH  
CORNELL UNIVERSITY

BERT H. DEIXLER  
CLIFFORD S. DAVIDSON  
PROSKAUER ROSE LLP

20 /s

21 Clifford S. Davidson

22 Attorneys for Defendant,  
23 CORNELL UNIVERSITY